

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BRIAN A. ALVES,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

Case No. C14-478-MJP-JPD

REPORT AND RECOMMENDATION

Plaintiff brought this action to seek judicial review of the denial of his application for disability benefits by the Commissioner of the Social Security Administration. Dkt. 3. The parties have stipulated that this case should be reversed and remanded for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). Dkt. 20.


Based on the stipulation of the parties, the Court recommends that this case be REVERSED and REMANDED for further administrative proceedings before an Administrative Law Judge (“ALJ”), a de novo hearing, and a new decision. On remand, the ALJ shall evaluate the examining psychological opinion provided by J.C. Czysz, Ph.D., and explain the reasons for the weight assigned to this opinion; further consider the evidence submitted to the Appeals Council; reassess the nature and severity of the claimant’s mental impairments, and if warranted

1 and available, obtain medical expert evidence to clarify the nature and severity of the claimant's
2 impairments; reevaluate the claimant's credibility based on the updated record; give further
3 consideration to the claimant's residual functional capacity, citing specific evidence in support of
4 the assessed limitations; if necessary, obtain supplemental evidence from a vocational expert to
5 clarify the effect of the assessed limitations on the claimant's occupational base, ensuring that
6 such testimony is consistent with the Dictionary of Occupational Titles; and, if the claimant is
7 found disabled, conduct the further proceedings required to determine whether drug addiction
8 and alcoholism are contributing factors material to the determination of disability.

9 Upon proper application, the Court will consider whether reasonable attorney's fees and
10 costs should be awarded pursuant to 28 U.S.C. § 2412(d).

11 Because the parties have stipulated that the case be remanded as set forth above, the
12 Court recommends that United States District Judge Marsha J. Pechman immediately approve
13 this Report and Recommendation. The Clerk should note the matter for **August 12, 2014** as
14 ready for Judge Pechman's consideration. A proposed order accompanies this Report and
15 Recommendation.

16 DATED this 12th day of August, 2014.

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18 JAMES P. DONOHUE
19 United States Magistrate Judge
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